

No. 9(1)82-6Lab/8941.—In pursuance of the provision of section 17 of the Industrial Disputes Act 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workman and the management of M/s M. L. Manchanda Printing Press, 58-A, N.I.T., Faridabad. **FM**

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 138/1982

*between*

SHRI BUDH RAM, WORKMAN AND THE MANAGEMENT OF M/S M. L. MANCHANDA  
PRINTING PRESS, 58-A, N.I.T., FARIDABAD

**Present :**

Shri Mohit Kumar for the workman.  
Shri R. C. Sharma for the management.

#### AWARD

The State Government of Haryana referred the following dispute between the workman Shri Budh Ram, workman and the management of M/s M.L. Manchanda Printing Press, 58-A, N. I. T., Faridabad, by order No. ID/FD/57/82/20373, dated 30th April, 1982, to this Tribunal, for adjudication, in exercise of powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of service of Shri Budh Ram, was justified and in order? If not, to what relief is he entitled?

Notices of the reference were sent to the parties who appeared and filed their pleadings and the case was fixed for filing of rejoinder. On the date fixed, the representative of the workman made a statement that he withdrew the dispute because the name of the management was not correctly given in the order of reference. Therefore, he will make a fresh reference.

In view of the statement of the representative of the workman, I make my award that the present dispute was dismissed as withdrawn.

M. C. BHARDWAJ,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

Dated the 24th August, 1982.

Endorsement No. 917, dated the 25th August, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

The 1st October, 1982

No. 9(1)82-PV-6Lab/9167.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of (i) M/s Managing Director, Haryana State Minor Irrigation Tubewell Corporation, Bank Square, Sector 17, Chandigarh (ii) Sub-Divisional Officer, Haryana State Minor Irrigation Tubewell Corporation, Sub-Division No. 1, Shejadpur, tehsil Naraingarh.

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, FARIDABAD

Reference No. 483 of 1980

*between*

SHRI SUDESH CHAND, WORKMAN AND THE RESPONDENT-MANAGEMENT OF  
(i) M/S MANAGING DIRECTOR, HARYANA STATE MINOR IRRIGATION TUBEWELL  
CORPORATION, BANK SQUARE BUILDING, SECTOR-17, CHANDIGARH  
(ii) SUB-DIVISIONAL OFFICER, HARYANA STATE MINOR IRRIGATION  
TUBEWELL CORPORATION, SUB-DIVISION NO. 1,  
SHEJADPUR, TEHSIL NARAINGARH.

**Present :**

Shri Surinder Kumar, for the workman.  
Shri Gian Chand, for the respondent.

## AWARD

The reference No. 483 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/AMB/165-80/53122, dated 14th October, 1980, under section 10(i)(c) of the Industrial Disputes Act, 1947 existing between Shri Sudesh Chand, workman and the respondent management of M's Managing Director, Haryana State Minor Irrigation Tubewell Corporation, Sector 17, Chandigarh, (ii) Sub-Divisional Officer, Haryana State Minor Irrigation Corporation, Sub-Division No. 1, Shejadpur, Tehsil Naraingarh. The term of the reference was :—

Whether the termination of service of Shri Sudesh Chand was justified and in order ? If not, to what relief is he entitled ?

Notices were issued to the parties on receiving this reference order. The parties appeared and filed their pleadings. The case of the claimant is that he was appointed as T-Mate on 1st October, 1972 and worked up to 15th December, 1978 on a monthly salary as permanent employee. He was a member of the union and asked by the respondent to leave the union and due to this fact his services were terminated on 12th November, 1978 without any allegation and reasons. Junior employees has been retained in service while terminating the services of the respondent. So he is entitled for the reinstatement with continuity of service and back wages.

The case of the respondent according to the written statement is that the claimant was not a T-Mate nor he was appointed on this post. He was appointed as Dak Runner and transferred to Shejadpur on 26th September, 1978. The claimant joined the duty with S. D. O., Naraingarh and the S. D. O., intimated to the S. D. O. Ambala but the claimant did not report for duty after giving his joining report and absented himself from duty without intimation. The respondent sent several registered letters to join the duties and even after these letters the claimant did not come to join his duty and there was no alternative except to terminate the services of the claimant.

On the pleadings the following issues were framed :—

1. Whether the termination of services of the workman is proper, justified and in order ? If not, to what relief is he entitled ?

My findings on this issue is as under :—

*Issue No. 1 :—*

The representative of the respondent argued on this issue that Shri R.M. Jolly, Executive Engineer, Haryana Irrigation Department, came to depose in the court and stated that he worked in the Division from 14th January, 1978 to 9th May, 1980 and was competent to appoint Shri Sudesh Chand, workman, under the rules. He also stated that the S. D. O. intimated him about the arrival of the claimant and about his absence after joining the duties and after this intimation he sent the letters Ex. M-1 to M-6 to the workman after joining his duties but inspite of these letters the claimant did not come to join his duties. The claimant was a member of work charge establishment and his services could be terminated without notice if the serious misconduct or gross inefficiency of the claimant is found and in support of this the respondent has filed the copy of PWD Code addition II, Chapter I, Para 1.129 (7) as under :—

“Members of the work charge establishment, other than Road Inspectors, who are engaged on the monthly servants will be subject to discharge at 10 days notice except in the case of serious misconduct or gross inefficiency (then no notice will be given) or on payment of pay for 10 days or for such period up to this extent on any be due to them in lieu of notice. Should they desire to resign they will be required to give 10 days notice or forfeit pay for this period for such period up to this extent as may be due to them in lieu of notice”.

The above said ruling is applicable to the Haryana State Minor Irrigation Tubewell Corporation. According to this rule the claimant had done serious misconduct and gross inefficiency in not attending his duty as required and absented himself without any leave application. The department has no alternative except to terminate his services. The claimant was duty-bound to forfeit his pay of 10 days in lieu of the ten days notice. The claimant not serve any notice and left the services of the respondent without any notice or leave application. Thus the termination order is legal and justifiable. Moreover, the claimant could not get any relief from through the Labour Court as the claimant had already opted for his relief through Civil Court. It is admitted fact that he filed Civil Suit challenging termination and his suit was dismissed. The workman has alleged that he was pressurised to leave the union but there is no evidence in this record for the pressure, so it cannot be believed. There is no evidence from the workman's side that he was a permanent employee rather it has been admitted that he was working as work-charge on daily wages. The documents produced by the workman Ex. W-2 to W-3 are very clear in this respect that the workman was T-Mate on daily wages. When the documents submitted by the workman speak that he was not a permanent employee then only by the statement of the workman he cannot be a permanent employee. The claimant has not pleaded in his claim that the S. D. O. concerned did not allow him to join his duties and retained his transfer orders. This all shows that it is an after

thought plea of the claimant otherwise the claimant must have pleaded in the claim statement and claim and did not complain to any authority for any reason. So the statement of the workman cannot be believed. The silence on the part of the claimant on this point shows that he left the services of his own accord and absented from duty from 26th September, 1978. The claimant did not produce any cogent evidence which could prove that he agitated the matter till he came to the court of law. The termination of the claimant after the legal procedure taken by the respondent is justified and the reference is liable to be rejected.

The representative of the workman argued on this issue that as stated by the workman in his statement as WW-1 that he joined the services of the respondent as T-Mate in October, 1972 and terminated on 15th November, 1978 by the S. D. O. without any reason. The workman asked the S. D. O. to prepare his service book who directed the clerk to claim Rs 50 from the workman in which the claimant made a complaint, - *vide* Ex. W-1. On that complaint he was transferred to another place due to this complaint and the transfer order is Ex. W-2. He made further complaint to the Executive Engineer who called the workman, - *vide* Ex. W-3 and he was not heard by the Xen and terminated his services. Then the workman has stated in his statement went to Civil Court for adjudication against this order which was filed and the workman came in this court for the relief. As the workman has stated that he joined the services in the year 1973 and worked up to the year 1978 for 6 years then he was a permanent employee of the respondent and the permanent employee cannot be terminated in this way in which the respondent has been terminated. No notice was given to the workman and no enquiry was held against him without which the respondent cannot terminate the services of the claimant in an arbitrary manner. So the workman is entitled for the reinstatement with back wages and continuity of service.

After hearing the arguments of both the parties, and going through the file, I am of the view that the Executive Engineer sent the letter Ex. M-3, dated 5th November, 1978 for joining the duties to the workman on the address given on the notice. He again sent a notice Ex. M-1, dated 22nd December, 1978 for the same to join the duties within five days after receiving this letter. The Executive Engineer sent a letter, dated 19th February, 1979 which is Ex. M-2 giving further opportunity to the workman to join his duties and the copy of the letter was sent to the Sarpanch, Village Mulana, for information and necessary action and with a request to direct the workman to join his duties otherwise his service will be terminated. After this letter of February, 1979, the workman did not turn up to join his duties for any other reason in the office of Xen or S. D. O. which shows that the workman absented himself from duty of his own accord. The record of the Xen office cannot be disbelieved because it is a public office and no enmity can be attached with the office and the persons when the workman has failed after three notices. Then the respondent has rightly terminated the service of the workman under the rules so the workman is not entitled for any relief in the above circumstances. So this issue is decided in favour of the respondent and against the workman.

This be read in answer to this reference.

Dated the 25th August, 1982.

HARI SINGH KAUSHIK,  
Presiding Officer,  
Labour Court, Haryana, Faridabad.

Endorsement No. 1936, dated 1st September, 1982

Forwarded (four copies) to the Commissioner & Secretary to Government, Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

HARI SINGH KAUSHIK,  
Presiding Officer,  
Labour Court, Haryana, Faridabad.

No. 9(1)82-PV-6 Lab./9236—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Contractor K. D. Jaswani Brothers C/o Eicher Gooderth Tractor-59, Industrial Area, Faridabad.

BEFORE SHRI M.C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL, TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 155/1982

between

SHRI ANWAR. WORKMAN AND THE MANAGEMENT OF M/S. CONTRACTOR K. D.  
JASWANI BROTHERS C/O EICHER GOODERTH TRACTOR-59, INDUSTRIAL AREA,  
FARIDABAD

Present: —

Nemo for the workman.

Nemo. for the management.

## AWARD

The State Government of Haryana referred the following dispute between the workman Shri Anwar and the management of M/s Contractor K. D. Jaswani Brother C/o Eicker Gooderth Tractor-59, Industrial Area, Faridabad, by order No. ID/FD/52/82/21946, dated 13th May, 1982, to this Tribunal, for adjudication, in exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of service of Shri Anwar was justified and in order? If not, to what relief is he entitled?

Notices of the reference were sent to the parties. The workman was present but the management did not appear because the service of the notice could not be effected as reported by the process server of this Tribunal that respondent management was a canteen contractor and had left from the present address. Therefore, the workman was directed to file the proper address of the management. But on the fixed date none was present on behalf of the workman and the case was ordered to be dismissed for non-prosecution by the workman. Therefore, I dismiss the case for non-prosecution by the workman.

Dated the 30th August, 1982.

M. C. BHARDWAJ,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Endorsement No. 941, dated 30th August, 1982.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 9(1)82-PV-6Lab/9237.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workman and the management of M/s. Rajasthan Printing Press, I-C/33, NIT, Faridabad,

BEFORE SHRI M/C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 248/1982

between

THE WORKMEN AND THE MANAGEMENT OF M/S RAJASTHAN PRINTING PRESS, I-C/33,  
N.I.T., FARIDABAD

Present.—

Shri Satish Ahuja, for the management.

Nemo, for the workmen.

## AWARD

The State Government of Haryana reference the following dispute between the management of M/s Rajasthan Printing Press I-C/33, N.I.T., Faridabad, and its workmen by order No. ID/FD/134/82/34013, dated 21st July, 1982, to this Tribunal for adjudication, in exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the attendance cards should be issued to the workmen? If so, with what details?

Notices of the reference were sent to the parties. The workmen were present but the management did not appear despite service and the case was fixed for *ex-parte* evidence of the workmen. On the date fixed the management was present but the workmen were not present. Shri Satish Ahuja, representative of the management made a statement that the factory was closed now a days. Whenever the factory would start the attendance cards would be issued to the workmen.

In view of the above, I pass my award that the workmen were entitled to the attendance cards.

Dated the 23rd August, 1982.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

Endorsement No. 940, dated the 30th August, 1982.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 6th October, 1982.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

No. 9 (1) 82-PV-6Lab/9239.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Emgee Board and Paper Mills Pvt. Ltd., Plot No. 107/108, Sector-25, Faridabad.—

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 53/1982

*between*

SHRI BAL RAM, WORKMAN AND THE MANAGEMENT OF M/S EMGEE BOARD  
AND PAPER MILLS PVT. LTD., PLOT NO. 107/108, SECTOR-25, FARIDABAD

*Present.—*

Shri K.P. Agrawal, for the management.

Nemo, for the workman.

#### AWARD

The State Government of Haryana referred the following dispute between the workmen Shri Bal Ram and the management of M/s Emgee Board and Paper Mills Pvt. Ltd., Plot No. 107/108, Sector-25, Faridabad by order No. ID/FD/3/82/6486 dated 9th February, 1982, to this Tribunal, for adjudication, in exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of service of Shri Bal Ram was justified and in order ? If not, to what relief is he entitled ?

Notices of the reference were sent to the parties who appeared. Written statement was filed by the management and the case was fixed for the rejoinder of workman but none was present on the fixed date. Therefore, the following issues were framed by my order dated 27th July, 1982 :—

- (1) Whether the workman was an employee of the management ?
- (2) Whether there is no industrial disputes between the parties ?
- (3) Whether termination of service of Shri Bal Ram was justified and in order ? If not, to what relief is he entitled ?

None was present on behalf of the workman on the date fixed for evidence. The management examined Shri Vergese Mathew Contractor as MW-1 who deposed that the workman worked with him as casual worker. According to the attendance record his wages was Rs 11 per day. He worked with him from 7th September, 1981 to 4th November, 1981. His contract was abolished by the management on 4th November, 1981. Therefore, he paid full account to the workman. The work in the factory was seasonal. Arguments were heard. As per evidence of the management, the workman was an employee of the contractor and not of the management. Therefore, there is no relationship of employer and employee between the workman and the management. The reference fails on this ground.

I pass my award that the workman was not entitled to any relief.

Dated the 27th August, 1982.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad.

Endorsement No. 933, dated 30th August, 1982.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 9(1)82-PV-6Lab./9240.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Emgee Board and Paper Mills Pvt. Ltd., Plot No. 107/108, Sector-25, Faridabad.

**BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD**

**Reference No. 52/1982**

*between*

**SHRI RAM BIHARI, WORKMAN AND THE MANAGEMENT OF M/S EMGEE BOARD  
AND PAPER MILLS PVT. LTD., PLOT NO. 107/108, SECTOR-25, FARIDABAD**

**Present.—**

Shri K. P. Aggarwal, for the management.

Nemo, for the workman.

#### **AWARD**

The State Government of Haryana referred the following dispute between the workman Shri Ram Bihari and the management of M/s Emgee Board and Paper Mills Pvt. Ltd., Plot No. 107/108, Sector-25, Faridabad, by order No. ID/FD/3/82/6479, dated 9th February, 1982, to this Tribunal, for adjudication, in exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of service of Shri Ram Bihari was justified and in order ?  
If not, to what relief is he entitled ?

Notices of the reference were sent to the parties who appeared. Written statement was filed by the management and the case was fixed for the rejoinder of the workman but none was present on the fixed date. Therefore, the following issues were framed by my order dated 27th July, 1982 :—

- (1) Whether the workman was an employee of the management ?
- (2) Whether there is no industrial disputes between the parties ?
- (3) Whether the termination of service of Shri Ram Bihari was justified and in order ? If not, to what relief is he entitled ?

None was present on behalf of the workman on the date fixed for evidence. The management examined Shri Vergese Mathew Contractor as MW-1 who deposed that the workman worked with him as casual worker. According to the attendance record his wages was Rs 11 per day. He worked with him from 7th September, 1981 to 7th April, 1981. His contract was abolished by the management on

4th November, 1981. Therefore, he offered full account to the workman. The work in the factory was seasonal. Arguments were heard. As per evidence of the management, the workman was an employee of the contractor and not of the management. Therefore, there is no relationship of employer and employee between the workman and the management. The reference fails on this ground.

I pass my award that the workman was not entitled to any relief.

M. C. BHARDWAJ,

Dated the 27th August, 1982.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Endorsement No. 938, dated the 30th August, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 9(1)82-PV-6Lab/9241.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Diwan Shah and Sons Private Limited, Jagadhri :—

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL  
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 167/1981

*between*

THE WORKMAN AND THE MANAGEMENT OF M/S DIWAN SHAH AND SONS  
PRIVATE LIMITED, JAGADHRI

Present :—

Shri Sukh Nandan Singh, for the workman.

Shri Subhash Chand, for the management.

#### AWARD

The State Government of Haryana referred the following dispute between the management of M/s Diwan Shah and Sons Private Limited, Jagadhri and its workman, by order No. ID/Ymn/16-79/27135, dated 26th June, 1979, to this Tribunal, for adjudication. in exercise of powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 :—

- (1) Whether the grades and scales of pay of the workmen should be revised? If so, with what details?
- (2) Whether the workmen are entitled to the supply of uniforms? If so, with what details?

Notices of the reference were sent to the parties who appeared and filed their pleadings. On the pleadings, issues under reference was put for trial by order dated 30th June, 1980. The workmen examined Shri Ram Bhoj, workman as WW-1, Shri Ram Mani workmen as WW-2 and Shri Indersain Bansal, General Secretary as WW-3. The management examined Shri Desh Bandu, partner of Vishal Metal Industries, Jagadhri as MW-1 and Shri Shashi Jain partner as MW-2, Dawarka Dass. M. D./ Factory Manager as MW-2. Arguments were heard. My finding on issues wise is as under :—

Issue No. 1.

WW-1 deposed that he was working for the last 10 years as a unskilled worker. He worked 28 years in the same scale of pay. They were not paid annual increment. WW-2 stated that

there was no annual increment granted to the workmen. They got only minimum wages. MW-1 deposed that the workmen were paid minimum wages. MW-3 deposed that there was no grades and scale in the industry or in any other factory. They paid minimum wages. There was a supply of coal and power was irregular. They have not paid dividends to the shareholders for the last two years. The management had not earned any profit and still the condition of the factory was not good. In cross examination, he admitted that he maintained car and was income tax payee. The factory was also income tax payee. He admitted that the minimum wages was fixed at Rs. 303. He admitted that the wages of the workmen shown in Ex. W-1, was very old.

I have gone through the pleadings and evidence led by the parties. According to the evidence, there are no grades and scales fixed for any of the category of the workers in this factory. It is into evidence that the workman having service of more than 20 years at his credit is getting minimum rate of wages fixed by the State Government. He is not paid any yearly increment by the management. The issue under reference is about the revision of grades and scale of pay. No question arises of revision of pay scale till such scales are fixed by the management. It should have been proper if the reference was made for fixation of grades and scales of pay and evidence led on this score. In the light of my above discussion the workmen should raise their demands for fixation of pay scale instead of a demand for revision of scale. Therefore, this issue fails.

*Issue No. 2.*

On this issue WW-1 deposed that he was working as a helper and had to work on washing 3-4 times during the week. There was damage to the clothes. Two of the workmen were worked in the heat treatment department and same in the melting and polishing department. There were 7 machinememen and 4 gattamen. The clothes of all the catagories of workmen got damaged due to the working of the industries. Two and three dresses were spoiled in a month. In cross examination he replied that this factory was engaged in the manufacturing of almunium utencils. He admitted that in T. C. Jain factory and Parkash Metal and Shibu Metal, the workmen got uniform allowance. It was also enforced in Swastika Metal. He denied the suggestion that the work in the factory was to the decrease. WW-2 deposed that he was working in the washing department where caustic and acid was used due to which clothes were damaged. He further corroborated the statement of WW-1. In cross examination, he replied that Acid was used in the ratio of one kilo to 15 kilo of water. Utencil was first washed in castic soda. MW-1 deposed that there were about 20 factories at Jagadhri manufacturing aluminium utencils. Uniform was not being supplied by any of the factory. In cross examination, he admitted that in the washing process acid was used. He did not know in any other factory where the work of washing was done. He admitted that life of cloth of workers was less. MW-2 stated that alkali and acid was used in a small quantity which had no adverse effect on the clothes. There was no other factory at Jagadhri who supplied uniform. In cross examination he stated that his father was partner in the management. MW-3 stated that no factory manufacturing utencils supplied uniforms. He further deposed that a light medium alkali and acid was used in the washing process which did not have adverse effect on clothes.

The overwhelming evidence of the parties suggest that the process in the manufacturing of finished goods involved use of alkali, acid and caustic soda. The working also involves melting by process of heat, polishing etc. There is no doubt about is that process did adverse effect on clothes of workmen involved in the manufacturing process. It is not expected that the workmen always use their own clothes and spoil them for the benefit of the management. The management invest in various machines, tools and raw material for getting finished goods and in case device was used for protection of workman in the shape of uniform, the same may be considered investment in the manufacturing process. Therefore, I give my award that the workmen be supplied with two uniforms of some stout cloth per annum. The management should also supply pad (gaddi) used by the latheman. I award accordingly.

Dated the 25th August, 1982.

M. C. BHARDWAJ,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Endorsement No. 928, dated 30th August, 1982.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.